



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

MAR 28 2008

TECHNOLOGY CENTER 2100

Stephen Palan
Crowell & Moring LLP
Intellectual Property Group
P.O. Box 14300
Washington DC 20044-4300

In re Application of:
Masahiro Matsuo
Application No. 09/699,402
Filed: October 31, 2000
For: Network Apparatus for Accessing Services
over a Network

**DECISION ON PETITION
UNDER 37 C.F.R. § 1.181**

This is a second decision on the petition filed February 27, 2008 under 37 CFR § 1.181 to invoke Supervisory Authority of the Commissioner and require the Examiner to withdraw the Final rejection mailed February 21, 2008.

The petition is **Granted**.

This decision was generated from a phone call from Mr. Palan on March 27, 2008. He correctly stated that the February petition was drawn to claim 3 not changing whereas the previous decision discussed the changing of scope of claim 2. The grounds of rejection in the final rejection was changed without being necessitated by amendment nor an IDS and therefore the finality of that action was premature and the finality is hereby withdrawn. The period for response continues to run from February 21, 2008.

Any inquiry concerning this decision should be directed to Tod Swann at (571) 272-3612.

Tod Swann
Technology Center 2100
Computer Architecture, Software, and
Information Security